

CHAPTER CXIX.

March 6, 1867

An Act to provide for the survey, location and establishment of a state road from a point at or near St. Joseph, in Stearns county, via Birch Bark Fort Lake, to Round Prairie in Todd county.

- SECTION 1.—Nominates three persons as commissioners to lay out road.
 2.—Provides for meeting of commissioners.
 3.—Width of road—route.
 4.—Authorizes commissioners to employ certain persons.
 5.—Commissioners to file plats of road.
 6.—Owners to obtain compensation—how payable.
 7.—Road to be kept in repair by counties.

Be it enacted by the Legislature of the State of Minnesota :

Nominates com-
missioners

SECTION 1. That J. H. Linneman of St. Joseph, E. C. Pindall of Birch Bark Fort Lake, and Samuel Sargeant of Round Prairie, are hereby appointed commissioners with the authority, and whose duty it shall be, to cause to be surveyed, locate and establish a state road from a point at or near Saint Joseph, in the county of Stearns, to a point at or near the residence of Samuel Sargeant at Round Prairie, in the county of Todd.

Organization

SEC. 2. The said commissioners shall on some day or days, to be by them agreed upon, prior to the first day of October next, meet at some point on the said proposed route and perform the duties imposed by this act.

Width, etc. of
road

SEC. 3. The said road shall be four rods wide, and shall commence at a point to be selected by said commissioners, at or near Saint Joseph, in the county of Stearns, and extend by the most direct and practicable route, via the foot of Birch Bark Fort Lake in said county, to a point at or near the residence of Samuel Sargeant, at Round Prairie in the county of Todd.

SEC. 4. The said commissioners are hereby authorized and empowered to employ one surveyor, one flagman, one chainman and one axman, to assist in the

survey of said road, who shall receive such compensation for their services as shall be agreed upon by the said commissioners and the persons employed, not exceeding the sum of three dollars per day for the surveyor, and two dollars per day, each, for the flagman, chainman and axman, for the time actually engaged in the business of their said employment, and the said commissioners shall receive the sum of two dollars each, per day, while necessarily employed in the discharge of their duties; and the expenses of surveying, locating and platting that part of said road lying in the county of Stearns shall be borne and defrayed by said county of Stearns, and the expenses of surveying, locating and platting that part thereof lying in the county of Todd, shall be borne and defrayed by the said county of Todd.

May employ assistants, expense how defrayed

SEC. 5. The said commissioners shall make or cause to be made one plat of the survey of so much of said road as shall be located in the county of Stearns, and one plat of the survey of so much of said road as shall be located in the county of Todd, describing that part of said road embraced therein, by its place of beginning, courses and distances and termination, and indicating by appropriate lines the quarter sections over which it passes, giving the numbers of the township and section of each, which plat shall be certified by the surveyor and two of the commissioners, to be correct, and be filed in the office of the county auditor of the county in which the portion of said road described therein is located, on or before the first day of November next, and upon the filing of said plats the said road shall be deemed to be located and established, as described therein, and a public highway.

Plat to be made

SEC. 6. The owner of any land over which the said road shall be located, claiming compensation or damages for land taken therefor, may present his claim to the board of county commissioners of the county in which such land lies, within six months after the filing of the plats as provided in the pending section, and the same shall be audited and adjusted by the said board as in case of a county road, and the amount allowed thereupon shall be payable by the said county. Any such owner who shall neglect to present his claim for compensation or damages as above provided, within

Compensation, how obtained

the said six months, shall be deemed to have waived and relinquished the same.

How road kept
in repair

SEC. 7. After the said road shall have been located and established, it shall be improved and kept in repair by the counties and towns in which it is located, in the same manner as county roads are improved and kept in repair.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 6, 1867.

CHAPTER OXX.

March 7, 1867.

An Act to provide for the location of a state road from Glencoe, in McLeod county, to Redwood Falls, in Red Wood county.

SECTION 1.—Nominates three persons to lay out road.

2.—Provides for meeting of commissioners—two to form a quorum.

3.—Authorizes commissioners to employ certain persons.

4.—How expenses of surveyor to be defrayed.

5.—Commissioners to file plat of road.

7.—When act shall take effect.

Be it enacted by the Legislature of the State of Minnesota:

Nominates com-
missioners

SECTION 1. That D. J. Pettijohn, Geo. Canfield and Thomas Alway are hereby appointed commissioners to mark out, survey and locate a state road, commencing at Glencoe in McLeod county, by way of Penn, Collins, Preston Lake and Beaver Falls, to Red Wood Falls, in Red Wood county.

SEC. 2. The commissioners shall meet at Glencoe on any day subsequent to the passage of this act, and proceed to discharge the duties imposed on them by